

# Morgan Lewis

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December 22, 2023

## **VIA ECF**

Honorable Jesse M. Furman  
U.S. District Court for the Southern District of New York  
Southern District of New York  
40 Centre Street, Room 2202  
New York, NY 10007

Re: Baptiste v. The Bank of New York Mellon, Case No. 1:22-cv-08045

Dear Judge Furman:

We represent Defendant The Bank of New York Mellon in the above-referenced matter. We write pursuant to Your Honor's December 18, 2023 Order (Dkt. 46) to inform the Court that the parties' Settlement Agreement has become effective as of today, December 22, and to respectfully request that this case be closed. Pursuant to the Settlement Agreement, the parties will separately file a stipulation voluntarily dismissing the matter with prejudice.

Defendant respectfully requests that the transcript of the parties' settlement conference held on September 11, 2023, which was filed under seal at Dkt. 42-1, remain sealed in its entirety pursuant to Magistrate Judge Moses's November 22, 2023 Order instructing Defendant to file the transcript under seal. See Dkt. 38. Baptiste's counsel does not object to the sealing request. See Dkt. 41. In the event that this Court decides that some or all of the transcript should be unsealed, Defendant respectfully requests that certain parts of the transcript remain sealed, including specifically the monetary amount of the parties' settlement.

Thank you for your consideration.

Respectfully submitted,

/s/ Gina F. McGuire

Gina F. McGuire

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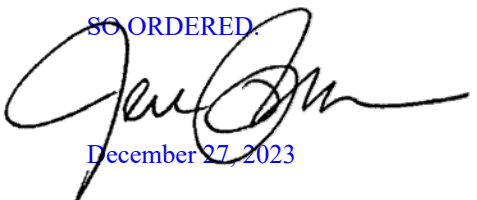
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The Court commends the parties on their work to put the Settlement Agreement into effect. Given the interest in promoting settlement, and the fact that the Court was not called upon to enforce the parties' agreement, the request to maintain the transcript of the settlement conference under seal is GRANTED. See, e.g., *In re: Gen. Motors LLC Ignition Switch Litig.*, No. 14-MC-2543 (JMF), 2016 WL 1317975, at \*2 (S.D.N.Y. Mar. 2, 2016) (citing cases).

Any pending motions are moot. All conferences are canceled. The Clerk of Court is directed to terminate ECF No. 39 and to close the case.

cc: *Counsel of record* (via ECF)

SO ORDERED.



December 27, 2023

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